

District	Off.	Yr.	Docket No. Number	OR	Filing Date			J	Nature Suit	R 23	Judge	Mag.	Jury Dem	ARB	MDL Docket	Yr.	Docket Number
0978	3	97	00670	1	11	24	97	4	360		7809	78be	P			97	00670 <sup>ECA</sup> <del>HDM</del> (R)

CAUSE: 28:1332 - DIVERSITY - OTHER PERSONAL INJURY  
NOT EXEMPT FRCP 16(b)  
PLAINTIFFS

ARMSTRONG, GERALD

#### DEFENDANTS

~~MISCAVICE, DAVID~~ #40  
~~NORMAN, CATHY~~ #40  
CHURCH OF SCIENTOLOGY INTERNATIONAL  
a California corp.  
RELIGIOUS TECHNOLOGY CENTER, a  
California corp. #70  
~~SEA ORGANIZATION, a California~~  
~~based unincorporated entity~~  
~~CHURCH OF SCIENTOLOGY OF TEXAS,~~  
~~a Texas corp.~~ #40

**CLOSED**

#### ATTORNEYS

##### FOR PLAINTIFF:

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##### FOR DEFENDANTS:

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(Loc Cnsl for Ds Religious Technolgy  
Center and Church of Scientology)

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Technology Center)

Eric M. Lieberman VP #18  
740 Broadway, Fifth Fl  
New York, NY 10003  
(212) 254-1111  
(Out of St cnsl for Church of Scientology)

<input type="checkbox"/> CHECK HERE IF CASE WAS FILED IN FORMA PAUPERIS	FILING FEES PAID			STATISTICAL REPORTS PROCESSED
	DATE	RECEIPT NUMBER	C.D. NUMBER	Filing _____
				Termination _____
				Change _____

DATE	NR.	PROCEEDINGS
		<p data-bbox="1123 93 1308 116"><b>FOR DEFENDANTS</b></p> <p data-bbox="959 142 1331 167">N. Patrick Flanagan #37</p> <p data-bbox="943 171 1530 327"> <b>Hale</b>, Lane Peek Dennison            100 W Liberty St, 10th Fl            PO Box 3237            Reno NV 89505            (702) 327-3000            loc cnsl for Church of Scientology Intrntnl         </p> <p data-bbox="959 354 1530 509">           Andrew H. Wilson VP #38            115 Sansome St, Ste 400            San Francisco CA 94104            (415) 391-3900            out of state cnsl for Church of Scientology            International.         </p>



CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF		DEFENDANT	CV-N-97-670- <del>HDM</del> (RAM)
GERALD ARMSTRONG		DAVID MISCAVIGE, et al.	DOCKET NO. _____
			PAGE <u>2</u> OF _____ PAGES

  

DATE	NR.	PROCEEDINGS
11/24/97	1	COMPLAINT w/jury demand. olr
--	--	SUMMONS issd to cnsl for P. olr
--	--	JS-5(AT). Pd \$150, Receipt #5516, pkg. olr
12/02/97	2	MINUTE/ORDER: (HDM) ORD abv actn reassig to ECR for all fur proc. Actn shl bear case #CV-N-97-670-ECR(RAM). Clk is dir to chng dkt sheet & file to reflct re-assign. (AT) Cps dist. olr
1/13/98	3	MINUTE/ORDER: (ECR) ORD Ps cnsl Mr. Abbott sh file in complianc w/Loc Rule 10-6 certif of interested pty w/in 10 days. Cps.Dist. (AT) blg. *mld-1/14/98.
1/26/98	4	CERTIFICATE/INTERESTED/PARTY in complianc w/LR 10-6 obo P. (no srv sho) blg.
3/12/98	5	MOTION for substd service of process on Ds CSI, et al. to Penetrate the CSI's artful svc barriers obo P. (No svc sho) (AT) olr <b>6</b>
3/13/98	--	SUB to RAM: Item #5. (AT) olr
3/20/98	6	MINUTE/ORDER: (RAM) P subd Mtn/Substd svc ( <b>#5</b> ) reqstng svc/proc thru Sec/State of Calif and Texas. The crt hvng granted Ps mtn hereby ext tm for svc to 60 dys frm dte ths Ord. (AT) Cps dist. olr *mld-3/20/98
--	7	ORDER: (RAM) ORD tht P may substitute Sec/State of Texas as agent to accpt svc on behalf of Church/Scientology of Texas by hand deliverng to Sec/State of Texas or any person emp by his office in cap of assist or deputy, a copy of process for Church/Scientology, and for Cathy Norman, res agent together w/cpy of this Ord. (AT) Cps dist. olr *mld-3/20/98
--	8	ORDER: (RAM) ORD tht P may substitute Sec/State of Calif as agent to accpt svc on behalf of Church/Scientology International by hand deliverng to Sec/State Calif or any person emp by his office in cap of assist or deputy, a copy of the process for Church/Scientology International, and for David Miscavig, together w/cpy of this Ord. (AT) Cps dist. olr *mld-3/20/98
4/20/98	9	MOTION to disp complaint for lack of subject matter jurisdiction; lack of personal jurisdiction; improper venue; and becuase P is a fugitive from justice obo D: Religious Technoligy Center. (m)(AT) wj <i>revised (4) granted 11/10</i>
--	10	MOTION to disp complaint (#1) for lack of subject matter jurisdiction; lack of personal jurisdiction; improper venue; and because P is a fugitive from justice obo D: Church of Scientology International. (m)(AT) wj <i>revised (4) granted 11/10</i>
5/08/98	11	REQUEST/ext tm to file oppo to Mtns/Dism ( <b>#9,10</b> ) obo P. (m)(AT) olr <i>revised (4) granted 11/10</i>
5/11/98	--	SUB to RAM: Items 9, 10, 11. (AT) olr

(Continued on p. 3)



CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF		DEFENDANT	CV-N-9/-670-ECR(RAM)
GERALD ARMSTRONG		DAVID MISCAVIGE, et al.	DOCKET NO. _____
			PAGE <u>3</u> OF _____ PAGES
DATE	NR.	PROCEEDINGS	
5/11/98	12	REQUEST/ORDER: (ECR) ORD ext tm of one day until Monday, May 11, 1998 to file/srv Oppo to Mtn/dis. (AT) Cps dist. olr *mld-5/12/98 5/14/98	
--	--	SUMMONS issd to Ps cnsl for srv on Ds, Church of Scientology of Texas. (AT) blg.	
5/20/98	13	X MOTION to dismiss complt for lack subj mtr juris, persoanl juris, improper venue and because P is a fugitive frn justice obo D <b>Church/Scientology of Texas and Cathy Norman</b> . (AT) olr <i>granted</i>	
--	14	REQUEST for submission of Mtn/dism (#9,10) for crt decision obo Ds. olr	
5/21/98	--	SUB to ECR: Items #9, 10, (AT) olr	
5/22/98	15	MINUTE/ORDER: (ECR) ORD tht P shl hv 15 days frm dte ths ord to file responses to mtns (#9,10) and to sho excusable neglect for hvng failed to timely resp. In tht P has rec'd a lengthy period to resp to mtns, if he fails to comply w/ ths ord, the mtns will be granted. (AT) Cps dist. olr *mld-5/22/98	
5/22/98	16	DECLARATION (w/orig signature) of D <b>Cathy Norman</b> in sprt of mtn (#13). olr	
6/01/98	17	NOTICE 4(m) as to Ds <b>Miscavige and SEA Organization</b> due 7/01/98. (AT)Cps dist. olr	
6/03/98	18	VERIFIED/PETITION: (LSW/olr) Apprvd as to <b>Eric M. Lieberman, Esq.</b> on 6/03/98. (AT) Cps dist. olr	
--	19	DESIGNATION/LOC/CNSL: (LSW/olr) Apprvd as to <b>N. Patrick Flanagan, Esq.</b> obo Eric M. Lieberman on 6/03/98. (AT) Cps dist. olr	
6/9/98	20	OPPOSITION to the Rule 12(b) mtns to dismiss (#s 9 & 10) obo P. (m)(AT)wj	
--	21	DECLARATION of George W. Abbott for showing of excusable neglect obo P. (m)(AT) wj	
6/11/98	22	X MOTION of plaintiff for permission to put in proper order initial motion motion response documents, and to file supplemental declaration obo P. (no svc) (AT) wj <i>granted</i>	
--	23	DECLARATION II for showing of excusable neglect obo George Abbott cnsl for P. (no srvc shown) (AT) wj	
6/12/98	--	SUB to <del>Item</del> Item #s 22-23 (AT) wj	
06/15/98	24	DESIGNATION/LOCAL/COUNSEL: (LSW/wj) APPVD as to N.Patrick Flanagan cnsl for D Religs Tech. CpsDst (AT) lg. *mld-06/15/98/wj	
---	25	VERIFIED/PETITION: (LSW/wj) APPVD as to Samuel Rosen out-of-st cnsl for D Religs Tech. CpsDst (AT) lg. *mld-06/15/98/wj	
6/18/98	26	X MOTION for P to file correction to supplemental declaration obo P. (m)(AT) wj <i>granted</i>	
6/19/98	27	STIPULATION/ORDER (ECR) ORD Ds Church of Scientology, Religious Technology Center, Cathy Norman and Chuch of Scientology of Tezas has till 6/26/98 to reply to P's Oppo to Motions to dismiss. cps dist (AT) wj mdl 6/23/98. wj	



CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF		DEFENDANT	CV-N-97-670-ECR(RAM)
GERALD ARMSTRONG		DAVID MISCAVIGE, et al	DOCKET NO
			PAGE 4 OF PAGES

  

DATE	NR.	PROCEEDINGS
6/23/98	28	MINUTE ORDER dtd 6/23/98: (RAM) ORD parties hv 5 days from receipt of this M/O to submit Disc Plan . cps dist (AT) wj mld 6/23/98
6/24/98	29	MINUTE ORDER dtd 6/24/98: (ECR) ORD P's Mtn (#26 ) is granted. cps dist (AT) wj mld 6/24/98
--	30	DECLARATION II for showing of excusable neglect ob George Abbot, cnsl for P. (AT) wj
6/24/98	--	RECEIVED stip discl plan/schd ord: Dsc Deadlines 10/17/98; Dispo Mtns 12/16/98; P/T ord 1/15/99. Orig to chambers. wj
6/26/98	31	REPLY MEMO of P&A in support of Motion to dismiss complaint obo Religious Technology Center. (m)(AT) wj
--	32	REPLY declaration of Wqarren McShane in Support of Religious Technology's Motion to Dismiss complaint. (m)(AT) wk
--	33	REPLY MEMO of P&A in support of Motion to dismiss (#13) complaint obo Church of Scientology of Texas and Cathy Norman. (m)(AT) wj
--	34	REPLY MEMO of P&A in support of Motion to dismiss Complaint (#10) obo Ds Church of Scientology International. (m)(AT) wj
--	35	REPLY declaration of Michael Rinder in support of Church of Scientology International motion to dismiss complaint (#10) (m)(AT) wj
--	--	EX PARTE MOTION for extension of time to file reply by 6/29/98 to opposition to motions to dismiss (2d Req) obo Ds Church of Scientology International, Religious Technology Center, Cathy Norman and Church of Scientology of Texas. Orig to chambers. wj
6/29/98	36	EX PARTE MOTION/ORDER (ECR) ORD D's Reply to Oppo to Mtns to dismiss extnd to incl 6/29/98 due. cps dist (AT) wj
6/30/98	37	DESIGNATION/LOC/CNSL: (LSW:olr) APPRVD as to N. Patrick Flanagan, loc cnsl for out of state cnsl Andrew H. Wilson, cnsl for D, Church of Scientology International. cps dist (AT) wj mld 7/2/98
--	38	VERIFIED PETITION: (LSW:olr) APPRVD as to Andrew H. Wilson, out of state cnsl for D: Church of Scientology International. cps dist (AT) wj <i>Apr # 684</i>
7/2/98	--	SUB to ECR Item # 22 (A)T wj
07/08/98	39	DISCOVERY PLAN/SCHEDULING ORDER: (RAM) ORD parties sh sub amend s/o if mtns to dismiss (#9 #10 #13) are denied stng frth specfc dts; (for now) disc c/o 180 dys after denial of sd mtns; mtns due 30 dys after disc c/o; PTO due 30 dys after mtns or 30 dys after rlg on disp mtns. CpsDist (AT) lg. *mld-07/09/98



CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF		DEFENDANT	CV-N-97-670-ECR(RAM) DOCKET NO.
GERALD ARMSTRON-		DAVID MISCAVIAGE, et al	PAGE 5 OF ____ PAGES
DATE	NR.	PROCEEDINGS	
7/9/98	40	MINUTE ORDER dtd 7/8/98 (ECR) ORD D's Mtn #13 to dismiss for lack of personal jurisdiction is granted and D's Church of Scientology of Texas and Cathy Norman are dismissed. cps dist (AT) wj mld 7/10/98. wj <i>ECW 7/10/98</i>	
--	41	MINUTE ORDER dtd 7/9/98 (ECR) ORD mtns #9 and #10 to dismiss are denied. FUR ORD that decision on D's Mtn #9 and #10 to the extent they seek dism for lack of subject matter jurisd are <b>deferred</b> pending evid hrng; FUR ORD evid hrng set 8/18/98, 10am to consider Crt subj mtrr juris in this case. P sh hv 2 yrs and D sj jointly hv 2 hrs to present evid, etc. cps dist (AT) wj mld 7/10/98 EOD 7/10/98.	
7/15/98	42	ORDER (ECR) ORD that the action is hereby dismissed w/o prej as to Miscaviage and SEA Organization. cps dist (AT) wj mld 7/17/98. wj	
7/16/98	43	MINUTE ORDER dtd 7/16/98: (ECR) ORD evid hearing, set 8/18/98 <b>vacated</b> and is <sup>g</sup> rescheduled 8/20/98, 10am for consideration of Crt's subj matter jurisd. cps dist (A)T wj mld 7/17/98. wj	
7/24/98	--	RECEIVED- Ex-Parte Mtn for ord shortening tm for hrg on Mtn to Compel obo Ds, Church of Scientology International. Sub to RAM-Chambers. blg. <i>41</i>	
--	44	MOTION for reconsidrtn or, in alt for certification pursnt to 28 USC 1292(b) & for stay of all procdngs in this crt pendng appeal obo D, Religious Technology Center. (m) (AT) blg. <i>#45, 46 clinico v mont</i>	
--	45	AFFIDAVIT of cnsl in spt of mtn ( <b>#44</b> ) obo D, Church of Scientology International. (m) (AT) blg.	
--	46	MOTION to compel disc on shortened time obo D, Church of Scientology International. (m) (AT) blg. <i>granted 47</i>	
7/27/98	--	SUB to RAM: Item #46. (AT) blg.	
7/28/98	47	MINUTES/TELEPHONIC CONFERNECE RE Gtn to compel disc on shortened time #46 dtd 7/28/98 (PHA) ORD D's Mtn #46 is granted. P sh appear 8/5/98, 11am and also on 8/6/98, if needed, at Patrick Flanagan office, for purposes of attending a deposition on issues of whterh or not P was domicled in NV at the time of this action was filed on 11/24/98. (Tape 98-82) cps dist (AT) wj mld 7/29/98	
8/4/98	48	MOTION (ex parte) for protective order obo P. (m)(AT) wj <i>granted 49</i>	
8/4/98	49	MINUTE ORDER dtd 8/4/98 (RAM) ORD P Mtn #48 is <b>granted</b> . ORD P will appear at a time convent to cnsl for D and cnsl for P for his deposition betwn 8/19/98 and 8/27/98. FUR ORD evid hrng set 8/20/98 <b>vacated</b> and reschd 9/2/98, 10am. Both parties will hv 2 hrs for presentation. cps dist (AT) wj mld 8/5/98 <i>Det 49</i>	

*cont page 6*



CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF		DEFENDANT	CV-N-97-670-ECR (RAM)
GERALD ARMSTRONG		DAVID MISCAVIAGE, et al	DOCKET NO. _____
			PAGE <u>6</u> OF _____ PAGES
DATE	NR.	PROCEEDINGS	
8/4/98	50	<del>EX PARTE MOTION</del> for order shortening time obo D. Church of Scientology International. (m)(AT) wj	
8/4/98	51	MINUTE ORDER dtd 8/4/98 (RAM) ORD based on the hearing bef PHA on 7/28/98 the Ex parte Mtn (#50) is denied as moot. cps dist (AT) wj mld 8/6/98	
8/5/98	52	DESIGNATION/RESIDENT/ATTY: (LW/lm) APPRVD as to Patrick Flanagan, resident cnsl for out of state cnsl Michael T. Mervis, cnsl for Religious Technologies. cps dist (AT) wj	
--	53	VERIFIED PETITION (LW:lm) APPRVD as to Michael T. Mervis, out of state cnsl for Religious Technology. cps dist (AT) wj Receipt #6691 wj	
8/10/98	54	<del>EX PARTE MOTIN</del> for leave to conduct discovery obo D, Church of Scientology.	
--	55	MINUTE ORDER dtd 8/10/98 (RAM) ORD D's Ex Parte Mtn (#54) is denied. cps dist (AT) wj mld 8/12/98	
8/13/98	56	<del>MOTION</del> to withdraw, w/o prej, Ex Parte Motion for leave to conduct discovery (54) obo Ds; Church of Scientology International. (m)(AT) wj	
8/14/98	--	SUB to RAM Item # 56 (AT) wj	
8/12/98	--	<u>REPORTER'S TRANSCRIPT</u> of teleph conf re Motion on 7/28/98 bef PHA. (C/R ESR, Transcript produced by Letter Perfect. wj	
8/14/98	57	MINUTE ORDER dtd 8/14/98 (RAM) ORD D's Mtn to withdraw (#56) is denied as moot. (see Doc #55) cps dist (AT) wj mld 8/18/98	
8/19/98	58	EX PARTE MOTION for status conference on discovery obo D. Church of Scientology International. wj	
--	59	MINUTE ORDER dtd 8/19/98 (RAM) ORD teleph hrng set 8/19/98 3:30pm re D ex Parte Mtn (#58). Cnsl hv been teleph notif. cps dist(AT) wj mld 8/20/98	
--	60	MINUTES/TELEPHONIC hrng re D's Ex parte Mtn (#58) dtd 8/19/98: (RAM) ORD depositinof P will take place a notice on 8/24/98, 9:30am. Depo will take place in the jury room of RAM. The subj matter of depo will be limited issue of P's residence. If Mr. Abbot can present to Crt an attending physican's certif saying this would put his health at risk, the Court will consider. (Tape 98-120) cps dist (AT) wj mld 8/20/98	
8/20/98	61	MINUTE ORDER dtd 8/20/98 (RAM) ORD teleph status conf set for 8/20/98, 4pm. Cnsl teleph notif. cps dist (AT) wj mld 9/24/98. wj	

CONT PAGE 7



CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF		DEFENDANT	CV-N-97-670-ECR (RAM) DOCKET NO. _____
GERALD ARMSTRONG		DAVID MISCAVIGE, et al	PAGE 7 OF _____ PAGES
DATE	NR.	PROCEEDINGS	
8/21/98	62	MINUTES/STATUS CONFERENCE dtd 8/20/98: (RAM) ORD deposition of P will be completed w/i 2 hrs and will take place on 8/24/98, 10am til noon. Depo will take place in the jury room of RAM at US Courthouse, 4th Floor, 400 S. Virginia St, Reno NV. (Tape 98-122) cps dist (AT) wj mld 8/24/98	
8/24/98	63	<del>EX-PARTE</del> REQUEST for production of documents and things obo P. (AT) wj <i>noted</i>	
--	64	<del>EX-PARTE</del> MOTION for ord shortneing time for D to comply with P' Request for prodctn of specfied docs, things obo P. (AT) wj <i>denied</i> <i>67</i>	
8/25/98	--	SUB to RAM ITeM # 63 and 64 (AT) wj	
8/26/98	65	OPPOSITION to Ps Mtn/Shortn tm (#64) & Doc/Prod (#63) obo D Church of Scientology Int'l. (m) (AT) lm	
--	66	MINUTE/ORDER: (RAM) ORD tht a tele disc/conf is sched for 8/26/98 @ 4:30pm to discuss Ps Req/Prod/Docs (#63) & (#64). Prts hv be tele notified. (AT) Cps Dist. *mld-8/27/98	
8/27/98	67	MINUTES/TELEPHONIC DISCOVERY CONFERENCE dtd 8/26/98: (RAM) Ps fld Ex Parte Mtn #64 and Req for prod (#63). ORD based upon the representation of cnsl for Ds as to how the hearing on 9/2/98 bef ECR will proceed, Crt <b>denies</b> the P's Ex parte Mtn (#64). FUR ORD based upon those representations the David Miscavige will not testify at the hearing on 9/2/98 re P's residence, the Ds will not call any other witness other than the woman in Canada who they have disclosed and they will produce no doc or computer evidence of surveillance should there be any. FUR ORD any disc is <b>stayed</b> until ECR ruling from hearing on 9/2/98, If he rules that the case sh go forward, then the time sh start running on P's Req for production of docs and Things (#63) and the discv prd of 180 days sh run from thate date as well. (Tape 98-125) cps dist (AT) wj mld 8/28/98	
9/2/98	68	BRIEF for evidentiary hearing in support of cliam of physical presence and intent to remain as of 11/19/97 obo P. (AT) wj	
9/3/98	69	MINUTES/EVIDENTIARY HEARING dtd 9/2/98 (ECR) D cnsl Moves for impo of Rule Exclusion, Mtn is <b>granted</b> ; Various exhibit admtd or withdrawn or rejected; Crt amnds prior fuling to ndicate that each side will be allowed 2 hrs for presentation of evid, and that ea side will be allowed 30 minutes for presentation of closing arugments; Crt recesses, decision of Crt will be announced tomorrow morning at 9am. (C/R Victoria Colgan) cps dist (AT) wj mld 9/4/98	
9/3/98	70	MINUTES/CONTINUED EVIDENTIARY HEARING dtd 9/3/98 (ECR) Crt renders its decision with respect to mtns to dismiss made by certain of the Ds (#9 and #10). ORD that mtns by Ds (#9 and #10) to dismiss this action for lack of subject matter jurisdiction are <b>granted</b> . (C/R Victoria Colgan) cps dist (AT) wj mld 9/4/98 <i>ECR 9/4/98</i>	

*ent page 8*



CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF		DEFENDANT	CV-N-97-670-ECR (RAM)
ARMSTRONG		MISCAVIGE, et al	DOCKET NO. _____
			PAGE 8 OF _____ PAGES
DATE	NR.	PROCEEDINGS	
9/8/98	71	MINUTE ORDER dtd 9/8/98 (ECR) ORD mtn for reconsideration filed by D Religious Technology Center on 7/24/98, (#44) is denied as moot, in light of the Court's Order dismissing the action against said D on 9/3/98. FUR ORD that mtn filed by P on 6/11/98 (#22) is granted. However, it will not be necessary for the papers to be physically reoriented. The court will be able to follow the reorganization suggested by P's atty. cps dist (AT) wj mld 9/9/98. wj	
9/11/98	72	MINUTE ORDER dtd 9/11/98 (ECR) ORD Clk sh enter final judgment dismissing this action. cps dist (AT) wj EOD 9/14/98	
9/14/98	73	JUDGMENT (ECR) ORD and adjdged that this action is dismissed. EOD 9/14/98 cps dist (AT) wj	
9/14/98	--	JS-6 (AT) wj	
9/17/98	--	REPORTERS'S TRANSCRIPT of evidentiary hearing dtd 8/2/98 bef ECR. (C/R Victoria Colgan. wj	
--	--	REPORTERS TRANSCRIPT of evidentiary decision dtd 8/3/98 bef ECR. (C/R Victoria Colgan) wj	
9/29/98	74	/ MOTION for lv of Crt to sub declaratns & exhbs relatng to amt of attys fees & expenses w/in 10 days of Crts rlg on mtn for award of attys fees contemporaneousl fld obo Ds, Church of Scientology International. (m) (AT) blg.	
--	75	/ MOTION for attys fees obo D, Church of Scientology International. (m) (AT) blg.	
09/29/98	76	BILL/COSTS (cpy) obo Ds. (Orig loc left side of folder). (AT) mkc	
10/14/98	77	NOTICE of appeal obo P. re doc #72 and #73 (C/A No _____)	
10/19/98	78	MOTION for extension of time to respond to D's Mtn for atty fee's obo P (AT) wj	